

**-FILED-**

**MAR 17 2021**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION**

**At ROBERT N. ST. JAMES Clerk  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA**

UNITED STATES OF AMERICA

v.

MICHAEL HERNANDEZ

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CAUSE NO. **2 : 21 CR 26**

18 U.S.C. § 922(g)(1)

18 U.S.C. § 922(g)(3)

18 U.S.C. § 922(j)

**INDICTMENT**

**THE GRAND JURY CHARGES:**

**COUNT 1**

On or about January 28, 2021, in the Northern District of Indiana,

**MICHAEL HERNANDEZ,**

defendant herein, knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm, and the firearm was in and affecting commerce;

In violation of Title 18, United States Code, 922(g)(1).

**THE GRAND JURY FURTHER CHARGES:**

**COUNT 2**

On or about January 28, 2021, in the Northern District of Indiana,

**MICHAEL HERNANDEZ,**

defendant herein, knowing that he was an unlawful user of a controlled substance (as defined in Section 102 of the Controlled Substances Act (21 U.S.C. 802)), which was marijuana, a Schedule I controlled substance, knowingly possessed a firearm, and the firearm was in and affecting commerce;

In violation of Title 18, United States Code, 922(g)(3).

**THE GRAND JURY FURTHER CHARGES:**

**COUNT 3**

On or about January 28, 2021, in the Northern District of Indiana,

**MICHAEL HERNANDEZ,**

defendant herein, knowingly possessed a stolen firearm that had been shipped and transported in interstate commerce, knowing and having reasonable cause to believe the firearm was stolen;

In violation of Title 18, United States Code, 922(j).

**FORFEITURE ALLEGATIONS**


1. The allegations of Counts One through Three of the Indictment are realleged and by this reference fully incorporated herein for the purpose of alleging forfeitures to the United States of America pursuant to the provisions of Title 18 United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c).

2. Upon conviction of any of the offenses alleged in Counts One through Three of the Indictment, **MICHAEL HERNANDEZ**, defendant herein, shall forfeit to the United States of America pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c), any and all firearms and ammunition involved in the commission of such offenses.

A TRUE BILL:

  
FOREPERSON

GARY T. BELL  
ACTING UNITED STATES ATTORNEY

By:   
Michael J. Toth  
Assistant United States Attorney